IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 15TH MAY 2007 / 25TH VAISAKHA 1929

WP(C).No. 15165 of 2007(E)

PETITIONER:

S.NAYAGAM, S/O.SELVARAJ MOORTHI,
AGED 43 YEARS, HOUSE NO.IX/3297,
MOORTHI TEA STALL, MUNNAR, IDUKKI DISTRICT.

BY ADV. SRI.N.M.VARGHESE
SRI.ROY THOMAS

RESPONDENTS:

---

1. SECRETARY, MUNNAR GRAMA PANCHAYAT
(SPECIAL GRADE), MUNNAR-685612.

2. MUNNAR GRAMA PANCHAYAT, REP. BY ITS
SECRETARY, MUNNAR.

3. STATE OF KERALA, REP. BY THE
CHIEF SECRETARY, SECRETARIAT,
THIRUVANANTHAPURAM.

BY ADV. SMT.AYSHA YOUSEFF, SC, MUNNAR GRAMA PANCHAYAT
SMT.MOLLY JACOB, SC, MUNNAR GRAMA PANCHAYAT
SENIOR GOVERNMENT PLEADER SRI.NANDAKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 15/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
==========
W.P.(C) NO.15165 OF 2007
==========

Dated this the 15th day of May, 2007

J U D G M E N T

Government Pleader takes notice. Respondents 1 & 2 have entered appearance.

2. The petitioner complains that a building constructed pursuant to Ext.P2 permit granted on the basis of Ext.P1 judgment of this Court is now ordered to be demolished by Ext.P6 order dated 10.05.2007. According to him, Ext.P6 order requires demolition of the structure within 24 hours. Immediately thereafter on 12.5.2007, he has filed an appeal before the Tribunal for Local Self Government Institutions and Ext.P7 is stated to be a copy of the appeal. It is complained that in the meantime steps are taken to implement Ext.P6.

3. Now that the petitioner has already resorted to the statutory remedy available to him, I think it is only reasonable that he is given a breathing time to seek appropriate interim orders from the Tribunal. In view of the above, I direct that

Ext.P6 shall be kept in abeyance for a period of 10 days from today and it is for the petitioner to seek appropriate orders from the Tribunal in the meantime .

Accordingly, this Writ Petition is disposed of.

ANTONY DOMINIC, JUDGE.

rtr/